

APPENDIX H

PROCEDURES AND REQUIREMENTS

Tire-Derived Product Business Assistance Program FY 2008/09 TBP3

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APPENDIX H

PROCEDURES AND REQUIREMENTS

OVERVIEW

INTRODUCTION

The Procedures and Requirements of the California Integrated Waste Management Board's (CIWMB) Tire-Derived Product Business Assistance Program (TBAP) Grant Agreement (Agreement) describes program and reporting requirements, report due dates, report contents, project completion and close-out procedures, records and audit requirements.

All documents submitted must be printed double-sided on recycled-content paper containing one hundred percent (100%) post consumer fiber. Specific pages containing full-color photographs or other ink-intensive graphics may be printed on photographic paper.

GRANT TERM

The Grant term is from the Notice to Proceed through April 15, 2011.

GRANT ASSISTANCE

Four broad categories of technical and consultative services (general, technical, marketing, testing and certification) are available. The technical and consultative services to be provided to the Grantee are broadly described in the Work Plan and Budget and detailed in the confidential Assessment Report and the confidential Activity Plan. All services provided by the Contractor to the Grantee are authorized by a Work Order (consistent with the Activity Plan) approved by the CIWMB Grant Manager and paid directly to the Contractor by the CIWMB.

PROGRAM REQUIREMENTS

TBAP requires certain conditions to be met and/or maintained. The CIWMB may reduce the grant funds awarded in this Agreement or require repayment of all or a portion of the grant funds if the following requirements are not met:

- The amount of waste tires used by the business must not be less than stated in the Application .
- One hundred percent (100%) California-generated waste tires must be used during Grant term. Feedstock conversion using 80 to 300 mesh or even smaller fine crumb rubber sourced out of California may be used for “testing and demonstration” purposes, subject to a CIWMB staff determination that the needed materials are not currently available in California, and only for a limited timeframe of up to 18 months (approximately February 2011).

See the “Acknowledgements” and “Advertising/Public Education” provisions in Appendix G – Terms and Conditions, for requirement information.

CIWMB may reduce the grant funds awarded in this Agreement and/or terminate the Agreement if the Grantee is uncooperative and/or unresponsive with the CIWMB and/or the Contractor. See the “Termination” provisions in Appendix G – Terms and Conditions for additional details.

**CIWMB GRANT
MANAGER CONTACT
INFORMATION**

Don Peri
TBAP Grant Manager
Phone: (916) 323-3415
Fax: (916) 319-7122
Email: dperi@ciwmb.ca.gov
Mailing address: See Report section of this document

REPORT REQUIREMENTS

**REPORT
REQUIREMENTS**

Annual Reports and a Final Report are required by this Agreement.

Annual Reports:

The Annual Reports must be prepared in accordance with the format specified in the Annual Report section of this document. The CIWMB Grant Manager may request an interim report at any time during the Grant term.

Annual Reports are required for a period of five (5) years after the expiration of the Grant term. The purpose of these Annual Reports is to evaluate the effectiveness of the TBAP Grant Program, and by executing the Grant Agreement, the Grantee agrees to participation in this continuing effort by submission of Annual Reports for a period of five (5) years.

Final Report:

The Final Report must be prepared in accordance with the format specified in the Final Report section of this document.

Note: All reports must be current and approved before Grant work orders can be processed. Failure to comply with the specified reporting requirements may result in the termination of this Agreement or suspension of any outstanding work orders. Any problems or delays must be reported immediately to the CIWMB Grant Manager.

REPORT DUE DATES

Annual Reports:

The Annual Reports must be received by the CIWMB no later than April 15, 2010, and annually thereafter until and including April 15, 2016. (For any report due dates that fall on a Saturday, Sunday or holiday, the Annual Report is due the first business day following April 15.) The reporting period begins when the Agreement has been executed.

Grant Final Report:

The Grantee must submit a Grant Final Report to the CIWMB Grant Manager the earlier of: within 60 days of conclusion of assistance provided by the Contractor, or April 15, 2011.

Report	Report Due	Reporting Period
Annual Reports	April 15, 2010	Notice to Proceed – December 31,

		2009
	April 15, 2011	January 1, 2010 – December 31, 2010
	April 15, 2012	January 1, 2011 – December 31, 2011
	April, 15, 2013	January 1, 2012 – December 31, 2012
	April 15, 2014	January 1, 2013 – December 31, 2013
	April, 15, 2015	January 1, 2014 – December 31, 2014
	April 15, 2016	January 1, 2015 – December 31, 2015
Draft Final Report	March 15, 2011	Notice to Proceed – April 15, 2011
Final Report	April 15, 2011	Notice to Proceed – April 15, 2011

**REPORT AND PAYMENT
REQUEST SUBMITTAL**

Please submit all reports to:
California Integrated Waste Management Board
Tire Derived Product Business Assistance Program (TBAP)
Local Assistance and Market Development Division, MS# 9A
Attn: Don Peri
1001 I Street, P.O. Box 4025
Sacramento, CA 95812-4025

ANNUAL REPORTS

Annual Reports are a requirement of this Agreement and must be prepared in the format specified below.

The Annual Report may describe details about a Grantee's business strategy, actions taken to improve operational performance, and sales/marketing strategies. If the Annual Report contains information that the Grantee considers confidential, **each page** of the report that contains confidential information should be clearly marked "**Confidential and Proprietary Information.**" Pages containing no confidential information should not be designated as "Confidential and/or Proprietary" and designating the entire report as confidential is not sufficient to identify the information considered by the Grantee to be confidential.

If the Annual Report contains information that the Grantee designates as "**Confidential and Proprietary**" the report must be submitted in a sealed envelope marked: "TIRE-DERIVED PRODUCT BUSINESS ASSISTANCE PROGRAM ANNUAL REPORT – CONFIDENTIAL/PROPRIETARY INFORMATION SUBMITTAL – AUTHORIZED PERSONNEL ONLY" On the outside of the sealed envelope in which the Confidential/Proprietary Information is submitted, provide the Name, Address, Telephone Number and E-mail address of the individual who should be contacted in the event the CIWMB receives a request under the Public Records Act (Govt. Code §§ 6250, et seq.) for disclosure of any of the documents you have identified as "Confidential and Proprietary Information"

Note: Documents submitted to the CIWMB that are clearly marked "trade secret" or "confidential/proprietary information" will be handled by the CIWMB pursuant to the procedures set forth in Title 14 of the California Code of Regulations, sections 17041-17046. The mere marking of documents (such as sales brochures, promotional literature and other general non-financial documents) as

“confidential/proprietary information” will not result in their being treated as confidential if they do not fall within the categories of protected financial documents listed in 14 Cal. Code Regs., section 17046. The CIWMB and all documents submitted to it are subject to the California Public Records Act (Govt. Code §§ 6250, et seq.).

Report Component	Description
COVER PAGE	<p>Include the following:</p> <ul style="list-style-type: none"> • Name of the grantee • Grant number • Amount of grant award • Dates of report coverage • Report preparation date • Disclaimer statement, as follows: <p>"The statements and conclusions of this report are those of the Grantee and not necessarily those of the California Integrated Waste Management Board, its employees, or the State of California. The State makes no warranty, express or implied, and assumes no liability for the information contained in the succeeding text."</p>
TABLE OF CONTENTS	Identify report contents and corresponding page numbers.
EXECUTIVE SUMMARY	Provide a <u>concise summary</u> of the assistance provided, its effectiveness and the impact the assistance is anticipated to have on the business. Quantify the amount of Passenger Tire Equivalents (PTE) used as a result of the TBAP assistance.
ASSISTANCE SUMMARY AND STATUS	<p>Provide a summary of the assistance being provided. Describe any proposed changes to the planned assistance and/or schedule including, but not limited to:</p> <ul style="list-style-type: none"> • Assistance proposed and provided by the Consultant • Results achieved • Problems encountered and how it/they were resolved <p>Also provide:</p> <ul style="list-style-type: none"> • Copies of year-end financial statements • Appropriate business tax return information to document: sales, expenses (including, but not limited to: cost of goods sold; sales, general and administrative expenses, depreciation and amortization expense, officer's compensation, etc.) • The number of pounds of crumb rubber used or PTE processed and sold • Written verification from a California producer of crumb rubber documenting the amount of crumb rubber purchased and certifying that 100 percent of the crumb rubber is from California-generated waste tires <p>Feedstock conversion using 80 to 300 mesh or even smaller fine crumb rubber sourced out of California may be used for "testing and demonstration" purposes, subject to a CIWMB staff determination that the needed materials are not currently available in California, and only for a limited timeframe of up to 18 months (approximately February 2011) Verification that this exception was granted must be included..</p> <ul style="list-style-type: none"> • The average number of employees and their full-time equivalents (based on a 40 hour week) • Any other business or operational information that may

	be necessary to evaluate the effectiveness of TTBP

GRANT FINAL REPORT

The Final Report is a requirement of this Agreement and must be prepared in the format specified below. The Final Report is due to the CIWMB Grant Manager no later than April 15, 2011. If requested, the Grantee shall make an oral presentation to the appropriate Committee or the California Integrated Waste Management Board.

The Final Report may describe details about a Grantees business strategy, actions taken to improve operational performance, and sales/marketing strategies. If the Final Report contains information that the Grantee considers confidential, **each page** of the report that contains confidential information should be clearly marked **“Confidential and Proprietary Information.”** Pages containing no confidential information should not be designated as “Confidential and/or Proprietary” and designating the entire report as confidential is not sufficient to identify the information considered by the Grantee to be confidential.

If the Final Report contains information that the Grantee designates as **“Confidential and Proprietary”** the report must be submitted in a sealed envelope marked: “TIRE-DERIVED PRODUCT BUSINESS ASSISTANCE PROGRAM FINAL REPORT – CONFIDENTIAL/PROPRIETARY INFORMATION SUBMITTAL – AUTHORIZED PERSONNEL ONLY.” On the outside of the sealed envelope in which the Confidential/Proprietary Information is submitted, provide the Name, Address, Telephone Number and E-mail address of the individual who should be contacted in the event the CIWMB receives a request under the Public Records Act (Govt. Code §§ 6250, et seq.) for disclosure of any of the documents you have identified as “Confidential and Proprietary Information”

Note: Documents submitted with to the CIWMB that are clearly marked “trade secret” or “confidential/proprietary information” will be handled by the CIWMB pursuant to the procedures set forth in Title 14 of the California Code of Regulations, sections 17041-17046. The mere marking of documents (such as sales brochures, promotional literature and other general non-financial documents) as “confidential/proprietary information” will not result in their being treated as confidential if they do not fall within the categories of protected financial documents listed in 14 Cal. Code Regs., section 17046. The CIWMB and all documents submitted to it are subject to the California Public Records Act (Govt. Code §§ 6250, et seq.).

Report Component	Description
Cover Page	<p>Include the following:</p> <ul style="list-style-type: none"> • Name of the grantee • Grant number • Amount of grant award • Dates of report coverage • Report preparation date • Disclaimer statement, as follows: <p>"The statements and conclusions of this report are those of the Grantee and not necessarily those of the California Integrated Waste Management Board, its employees, or the State of California. The State makes no warranty, express or implied, and assumes no liability for the information contained in the succeeding text."</p>
Table of Contents	Identify report contents and corresponding page numbers.
Executive Summary	Provide a <u>concise summary</u> of the assistance provided, its effectiveness and the impact the assistance is anticipated to have on the business. Quantify the amount of PTE used as a result of the TBAP assistance.
Evaluation	<u>Fully describe</u> the assistance provided, its effectiveness and the impact the assistance is anticipated to have on the business. Provide copies of any sales brochures or promotional material developed (as applicable/appropriate).
Waste Tires Diverted	Indicate the number of California-generated waste tires PTE that have been, and are projected to be, diverted from the waste stream. Feedstock conversion using 80 to 300 mesh or even smaller fine crumb rubber sourced out of California may be used for "testing and demonstration" purposes, subject to a CIWMB staff determination that the needed materials are not currently available in California, and only for a limited timeframe of up to 18 months (approximately February 2011). If non-California rubber has been used pursuant to this exception, this should be indicated in the report.
Photographs	Provide copies of any facility changes as a result of the assistance provided. Include electronic copies of photographs on disk.
Appendices	<p>Include copies of any tangible materials, marketing or promotional documents developed during the grant term, including, but not limited to, the following:</p> <ul style="list-style-type: none"> • Brochures • Flyers • Newspaper articles • Any print or other materials related to this grant project
)	

GRANT CLOSEOUT INFORMATION

**GRANT COMPLETION
AND CLOSE-OUT**

The Grantee must submit a Final Report no later than April 15, 2011. The report must contain all required documentation as described in the “Final Report” section of this document.

**RECORDS AND AUDIT
REQUIREMENTS**

This grant is subject to a desk or field audit. The records for the grant must be located at the Grantee’s location in California and must be maintained for a minimum of three (3) years after the end of the Grant term, or unless a longer period of record retention is deemed necessary. See “Audit/Records Access” section in Appendix G - Terms and Conditions, for more information.

**ANNUAL REPORTING
AND SECURITY
INTEREST**

The Grantee shall provide Annual Reports to the CIWMB for a period of five (5) years after the expiration of the Grant term.
